

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF MISSOURI

KEITH L. TRIPP,)	
)	
Plaintiff,)	
)	
vs.)	Case No.: 6:22-CV-3119
)	
CHRISTIAN COUNTY, MISSOURI, et al.,)	
)	
Defendants.)	

NOTICE OF REMOVAL

Pursuant to the provisions of 28 U.S.C. § 1441(a) and § 1446, Defendants Christian County, Loe, Hill, and Guinn, jointly with Defendants City of Clever and Whisnant, by and through their undersigned counsel of record, hereby remove the above-captioned action, Case No. 20CT-CC00211, from the Circuit Court of Christian County, Missouri to the United States District Court for the Southern District of Missouri.

Removal of this action is proper because, pursuant to 28 U.S.C. § 1441(a), this Court has original jurisdiction founded on Plaintiff's claims arising under the Constitution and the laws of the United States. Specifically, Plaintiff has brought this action alleging a violation of his Fourth Amendment rights under the Constitution and 42 U.S.C. § 1983. Raising a claim that arises under the Constitution and federal laws allows for removal of this matter pursuant to 28 U.S.C. §§ 1331 and 1343.

Plaintiff originally filed his Petition on October 1, 2020, but that Petition did not include a claim arising under the Constitution and federal laws. His Amended Petition was deemed filed on April 29, 2022, and included the initial claim seeking relief under his claim of a Fourth Amendment violation. Removal is timely and proper under 28 U.S.C. § 1446(b)(1) because this removal is being filed within thirty days after the initial pleading setting forth a claim for relief was filed.

Further, all defendants who have been served consent to removal as required under 28 U.S.C. § 1446(b)(2)(A).

Pursuant to 28 U.S.C. § 1391(b), venue lies in this Court because it is the District embracing the place where Plaintiff's Petition is currently pending and the judicial district in which a substantial part of the alleged events or omissions giving rise to the purported claims occurred.

Written notice of removal has been filed electronically via Case.net with the Circuit Court of Christian County, Missouri, pursuant to 28 U.S.C. § 1446(d), a copy of which is attached hereto as **Exhibit 1**. Pursuant to 28 U.S.C. § 1446(a), a copy of Plaintiff's Petition, along with all process, pleadings, and orders served upon these Defendants are attached hereto as **Exhibit 2**.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2022, I electronically filed the foregoing with the Clerk of the Court and e-mailed same to the following:

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